



FFW

Alay

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 6, 2005.

TOWNSEND and TOWNSEND and CREW LLP

By:

Attorney Docket No. 15258-556  
Client Ref. No. P.7067

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CHRISTIAN ENGELER, ET AL.

Application No. 10/054,194

Filed: November 13, 2001

For: COLUMN FOR CARRYING OUT  
AN ISOTOPE EXCHANGE BETWEEN  
A LIQUID SUBSTANCE AND A  
GASEOUS SUBSTANCE

Customer No. 20350

Confirmation No. 4424

Examiner: Alexa A. Doroshenk

Technology Center/Art Unit: 1764

**AMENDMENT**

San Francisco, CA 94111  
January 6, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As a precautionary measure, applicants request an extension of time, if needed and if not separately attached hereto, and authorize the Commissioner to charge the fee therefor to our deposit account in accordance with our standing authorization for such charges.

In response to the restriction requirement dated December 28, 2004, applicants herewith elect with traverse the further prosecution of Claim Group I, that is, of apparatus claims 1-8.

Applicants disagree that the apparatus recited in the elected claims can be used with another, materially different process, such as the enrichment of oxygen isotopes—the sole

Application No. 10/054,194  
Amendment  
Reply to Office Action of December 28, 2004

PATENT

basis for the restriction requirement. There is no indication that the apparatus can be used in this manner, and as a result the restriction requirement is at most based on speculation.

In view thereof, applicants request the retraction of the restriction requirement and examination of all pending claims 1-10.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,

  
J. Georg Seka  
Reg. No. 24,491

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
JGS:jhw  
60392813 v1